

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAVID W. RIGGINS, a/k/a DAWUD  
HALISI MALIK,

Plaintiff,

v.

DAN PACHOLKE, TAMMY GWIN, C.  
WHALEY, V. JOHANSEN, STEVE  
RAMSEY, GREGA JOINES, and JOHN  
SCOTT,

Defendants.

No. C10-5147 BHS/KLS

ORDER DIRECTING RESPONSE FROM  
DEFENDANTS

Before the court is Plaintiff's "Letter/Motion for Return of Overpaid Filing Fee." Dkt. 21. Plaintiff asserts that although he paid the full \$350.00 filing fee for filing his complaint in this case, the Department of Corrections has improperly deducted his inmate account in the amount of \$40.00 toward payment of the fee. *Id.*

According, it is **ORDERED:**

- (1) Defendants are directed to file a response to Plaintiff's motion **on or before August 30, 2010**; Plaintiff may file a reply to Defendants' response **on or before September 3, 2010**.
- (2) The Clerk shall **strike** the noting date of July 30, 2010 for Plaintiff's motion and **re-note** the motion (Dkt. 21) for **September 3, 2010**.

DATED this 16th day of August, 2010.



Karen L. Strombom  
United States Magistrate Judge